## IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

ROBERT THOMAS IRVIN	)
	)
v.	) NO. 3-11-0529
	) JUDGE CAMPBELL
CLARKSVILLE GAS & WATER, et al.	)

## ORDER

Pending before the Court is a Report and Recommendation of the Magistrate Judge (Docket No. 29), to which no Objections have been filed. The Court has reviewed the Report and Recommendation and the file. The Report and Recommendation is adopted and approved.

Accordingly, Defendants' Motion to Dismiss (Docket No. 20) is GRANTED, and all claims against Defendants Clarksville Gas & Water Department, City of Clarksville Police Department and City of Clarksville Building & Codes Department are DISMISSED.

In addition, all of Plaintiff's claims against the individual Defendants in their official capacities are DISMISSED. Finally, all claims against Defendants Hicket, Eley and Mathews<sup>1</sup> in their individual capacities are DISMISSED.

This action will proceed against Defendants Glenn, Pew and Bailey in their individual capacities. The case is referred to the Magistrate Judge in accordance with the Court's prior Order (Docket No. 7).

IT IS SO ORDERED.

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TODD J. CAMPBELL
UNITED STATES DISTRICT JUDGE

Kim McMillan and Barbara Burroughs are not named Defendants in this case.